

January 27, 2003

Exemption No. 7961
Regulatory Docket No. FAA-2002-14166

Mr. Kent W. Ewing
1509 Duke of Windsor Road
Virginia Beach, VA 23454

Dear Mr. Ewing:

By letter dated December 12, 2002, you petitioned the Federal Aviation Administration (FAA) for an extension of Exemption No. 7254. That exemption from § 91.109(a) of Title 14, Code of Federal Regulations (14 CFR) permits you to conduct certain flight instruction and simulated instrument flights to meet the recent experience requirements in Beechcraft Bonanza, Baron, and Travel Air airplanes equipped with a functioning throwover control wheel in place of functioning dual controls. Your request for exemption is being processed as a new request because Exemption No. 7254 expired on June 14, 2002.

The FAA issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption Nos. 6544 and 6804 (copies enclosed), the FAA found that with conditions and limitations, certain flight instruction could be conducted in an airplane with a functioning throwover control wheel with a level of safety equivalent to that provided by the regulations. The FAA noted that 14 CFR § 61.45(c) permits FAA personnel and designated pilot examiners to conduct pilot certification flight tests in aircraft not equipped with dual controls. The FAA found that in the last 20 years those operations have been conducted without an adverse effect on safety. In granting the exemptions, the FAA noted that the petitioners sought to provide flight instruction only for pilots who already are qualified to act as pilot in command (PIC).

Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioners in the enclosed grants of exemption. In addition, I have determined that the reasons stated by the FAA for granting the enclosed exemptions also apply to the situation you present.

AFS-03-158-E

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Mr. Kent W. Ewing is granted an exemption from 14 CFR § 91.109(a) to the extent necessary to conduct certain flight instruction in Beechcraft Bonanza, Baron, and Travel Air airplanes equipped with a functioning throwover control wheel in place of functioning dual controls. This exemption is subject to the following conditions and limitations:

1. Operations conducted under the authority of this exemption are limited to flights for the following purposes:
 - a. To complete the flight review required by § 61.56(a); and
 - b. To conduct the training necessary to accomplish one or more phases of an FAA-approved pilot proficiency award program provided for in § 61.56(e).
2. Operations conducted under the authority of this exemption are limited to Beechcraft Bonanza, Baron, and Travel Air aircraft equipped with a functioning throw over control wheel and operable rudder pedals in place of functioning dual controls.
3. The pilot receiving the instruction under the authority of this exemption must be qualified in every respect to serve as PIC of the airplane during the entire training period. During the instruction, the pilot receiving training must, at all times, serve as and remain PIC as defined in 14 CFR § 1.1. The PIC must agree to the provisions of this exemption.
4. While serving as a flight instructor under the authority of this exemption, Mr. Ewing must—
 - a. Be fully qualified to serve as PIC and flight instructor in the airplane involved, as required by § 61.195(b) and (f); and
 - b. Have given at least 25 hours of dual instruction in the airplane involved.

5. Mr. Ewing, when serving as the flight instructor under the provisions of this exemption, and the PIC (the pilot receiving training) must agree that the proposed flight, under the conditions in evidence at the time, can be conducted safely.

This exemption terminates on January 31, 2005, unless sooner superseded or rescinded.

Sincerely,

/s/

Louis C. Cusimano

Acting Director, Flight Standards Service